

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 John Carl Colletti,

4 Petitioner

5 v.

6 State of Nevada,

7 Respondent

Case No.: 2:24-cv-01928-JAD-DJA

**Order Directing Petitioner to File
Completed *In Forma Pauperis* Application
or Pay Filing Fee by December 13, 2024**

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9 Petitioner John Carl Colletti has submitted a pro se petition for writ of habeas corpus
10 under 28 U.S.C. § 2254 to challenge his 2023 drug and firearm convictions.¹ He applies to
11 proceed *in forma pauperis*, but the financial certificate is not signed by an authorized officer and
12 he has failed to provide the required inmate account statements for the past sixth months.² As a
13 result, this action is subject to dismissal without prejudice.³ But it is unclear from the record
14 whether such a dismissal will materially affect a later analysis of any timeliness issue with
15 respect to a new action, so I give Colletti 30 days to get the filing fee paid or file a completed *ifp*
16 application.


17 IT IS THEREFORE ORDERED that Colletti has until December 13, 2024, to either
18 pay the \$5.00 filing fee or file a fully completed application to proceed *in forma pauperis*.
19 Failure to do so may result in the dismissal of this action without prejudice and without further
20 prior notice.

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22 ¹ ECF No. 1-1.

23 ² See ECF No. 1.

³ 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

1 IT IS FURTHER ORDERED that **the Clerk of Court is directed to RETAIN the**
2 **petition [ECF No. 1-1] but not file it** at this time.

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U.S. District Judge Jennifer A. Dorsey
November 13, 2024
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